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37 C.F.R. 1.8

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*April 1, 2004*  
Date

*Rula S. Lichtenart*  
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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

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Tim H. KLUSMEYER  
John L. VICINI  
Robert H. SCHENKEL  
Edward Alan REED and  
Kanaiyalal R. PATEL

Serial No.: 09/910,473

Filed: JULY 20, 2001

For: METHOD FOR INDUCED LACTATION

Confirmation No.: 1751

Group Art Unit: 1653

Examiner: WAX, R.A.

Atty. Dkt. No.: 11916.0049.NPUS00

**PETITION UNDER 37 C.F.R. § 1.181(a) FOR WITHDRAWAL OF EXAMINER'S  
HOLDING OF ABANDONMENT BY NOTICE MAILED FEBRUARY 5, 2004**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA, 22313-1450

Sir:

Applicant petitions that the holding of abandonment set forth in the Notice mailed by the Patent and Trademark Office on February 5, 2004 for the captioned application be withdrawn. Applicants assert that Application Serial No. 09/910,473 has not been abandoned. The captioned application was held abandoned by the Examiner for failure to respond to the Office Communication mailed July 2, 2003. However, Applicant submitted a timely response to this

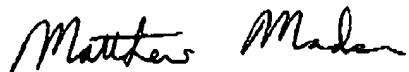
communication on October 1, 2003 (copy attached). This submission bears a certificate of timely mailing under 37 C.F.R. 1.8 dated October 1, 2003.

Moreover, receipt of Applicants' submission was acknowledged according to the enclosed copy of the postcard stamped by the Patent Office on October 6, 2003. In view of the foregoing facts, Applicant believes that the captioned application has not been abandoned and that Notice of Abandonment was sent in error. Accordingly, Applicant respectfully requests that the holding of abandonment be withdrawn.

Applicant believes that no fees are due at this time; however should any fees be required for this petition, the Commissioner is authorized to charge Account No. 01-2508 (Order No. 11916.0049.NPUS00).

Acknowledgment of the active status of this application is respectfully requested.

Respectfully submitted,



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Date: Apr. 1, 2004